IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

MONDAY, THE 28TH MAY 2007 / 7TH JYAISHTA 1929

LA.App..No. 529 of 2007()

LAR.167/2003 of SUB COURT, QUILANDY
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APPELLANT: 1ST RESPONDENT:

STATE OF KERALA, REPRESENTED BY THE DISTRICT COLLECTOR, KOZHIKODE.

BY GOVERNMENT PLEADER SHRI.K.V.MANOJ

RESPONDENTS: CLAIMANT & 2ND RESPONDENT:
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1. KEERIYADETH AYISHA, D/O.KUNHABDULLA, VANMUKHAM AMSOM, VEERAVANCHERI DESOM, KOYILANDY TALUK.

2. THE MANAGING DIRECTOR, RBDC, KOCHI.

BY

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 28/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

Kurian Joseph & T.R. Ramachandran Nair, JJ.

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C.M.Appl.674/2007 & L.A.A..NO. 529 /2007

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Dated this the 28th day of May, 2007

JUDGMENT

Kurian Joseph, J.

C.M.Appl. No.674/2007

This is a petition to condone the delay of 544 days in filing the appeal. On going through the affidavit, we could not find any satisfactory reason for condonation of the delay. The judgment was pronounced on 31.3.2005 and the copy application was filed only on 30.12.2005. No explanation is offered as to what is the reason for the inordinate delay. Despite receipt of the copy of the judgment on 16.2.2006, the appeal is filed only on 8.2.2007 and for that delay also, there is no proper explanation.

2. All that apart, it is seen that the extent is only very small, 1.6302 cents and enhancement itself is only Rs.15,459/-. We do not think that in such circumstances, the respondent should be unnecessarily called before this court. The application for condonation of delay is hence dismissed.

L.A.A. No.529/2007

Consequent on the dismissal of the petition for condonation of delay,

the appeal is also dismissed.

(Kurian Joseph, Judge.)

(T.R. Ramachandran Nair, Judge.)

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